

**GOVERNMENT OF PUERTO RICO
PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**

IN RE: IMPLEMENTATION OF THE PUERTO
RICO ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN AND
MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT: Request for Information ("ROI")

RESOLUTION AND ORDER

The Energy Bureau of the Puerto Rico Public Service Regulatory Board (the "Energy Bureau") approved several power purchase and operating agreements ("PPOAs") for solar PV projects ("Solar PV") and energy storage service agreements ("ESSAs") for battery energy storage systems ("BESS"). These approved PPOAs and ESSAs were selected from legacy contracts (*i.e.*, 150MW approved prior to Tranche #1) and under the Tranche #1 Request for Proposals ("RFP") process. The PPOAs and ESSAs have been signed on different dates.


Regarding the signed PPOAs and ESSAs, the Energy Bureau **ORDERS** the Puerto Rico Electric Power Authority ("PREPA") to submit a response to the *Request for Information*, as outlined in **Attachment A** to this Resolution and Order, no later than five (5) days from the notification of this Resolution and Order.

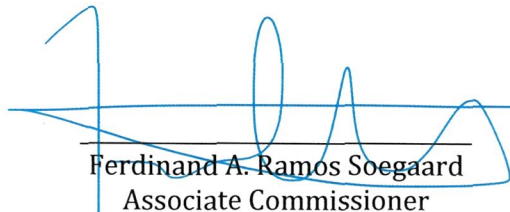
The Energy Bureau **WARNS** PREPA that:

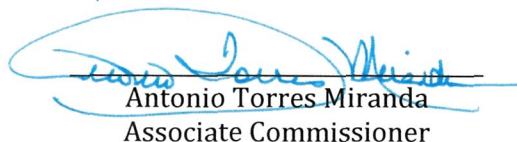
- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
- (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
- (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000) at the discretion of the Energy Bureau.

Be it notified and published.


Edison Avilés Deliz
Chairman


Sylvia B. Ugarte Araujo
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner



CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on June 14, 2024. Associate Commissioner Lillian Mateo Santos did not intervene. I also certify that on June 14, 2024, a copy of this Resolution and Order was notified by electronic mail to arivera@gmlex.net; mvalle@gmlex.net; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com; and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, on June 14, 2024.


Sonia Seda Gaztambide
Clerk



ATTACHMENT A

1. Provide copies of all duly signed PPOAs and ESSAs, as well as any amendments to them.
2. For each signed PPOA and ESSA provide copies of all duly signed Interconnection Agreements, if applicable.
3. For each signed PPOA and ESSA, provide the status of the achievement of the Conditions Subsequent and identify any significant challenges or risks encountered during the project development and the strategies implemented to promptly achieve any pending Condition Subsequent.
4. For each signed PPOA and ESSA, provide the expected date to start the construction of the facility and the interconnection facility (if applicable) and the expected Commercial Operational Date ("COD").
5. For each signed PPOA and ESSA, confirm the Service Provider is pursuing certification as an Electric Service Company with the Energy Bureau. Include any relevant case number of the certification request pending before the Energy Bureau.
6. For each signed PPOA and ESSA, provide detailed information about the project development, including but not limited to: (a) a detailed timeline of key development milestones achieved, such as site acquisition, facility and interconnection facility engineering design, permitting, financing, construction start, and expected completion dates; (b) information on all regulatory approvals obtained and any pending applications, including permits and licenses required for the project; (c) an update on the financial status of the project, including the secured financing, and any outstanding financial requirements; (d) an update on the current status of engineering design and construction activities, including the percentage of completion and any significant achievements or setbacks; (e) a summary of the preparations for operational readiness, including staffing, training, and commissioning activities, and (f) identification of any significant challenges or risks encountered during the project development and the strategies implemented to address them.
7. For each signed PPOA and ESSA, provide detailed information about the project finance agreements, including but not limited to: (a) copies of all executed financing agreements related to the project, such as loan agreements, credit facilities, and equity investment agreements; (b) a summary of the key terms and conditions of each financing agreement, including interest rates, repayment schedules, and any covenants or restrictions; (c) identification of all parties involved in the financing arrangements, including lenders, investors, and guarantors; (d) details of any government incentives or subsidies (including those related to the DOE-LPO) received in connection with the project financing; (e) information on the project's financial structure, including the proportion of debt and equity financing; and (f) any amendments or modifications to the original financing agreements.

